UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,237	09/27/2001	Russell Miller	GSH 08-889792	2470

7590	12/23/2003

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EXAMINER
TRAN, TAM D

ART UNIT	PAPER NUMBER
2676	7

DATE MAILED: 12/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.		Applicant(s)
Office Action Summary	09/965,237		RUSSELL MILLER
	Examiner		Art Unit
	Tam D. Tran		2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _03_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _22 October 2003_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-36_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-36_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
    since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
    37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
    reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Swen et al. (USPN

5806081), hereinafter simply Swen.

2.   In regard to claims 1, 12, Swen teaches a colour management user interface controller for

use in a colour management system for assisting users to manage colour settings of multiple

colour entities (color devices), see col.3 line 64 - col.4 line 6, the user interface controller

comprising: a representation controller (color processing system) for presenting representation of

each colour entity; see col.5 lines 10-30; and a relation indicator controller (components

manager) for presenting one or more relation indicators indicating colour relation between the

colour entities represented by the representations (interface between components and clients).

See col.5 lines 59-67.

3.   In regard to claims 2, 14, 23, 28, 33, Swen teaches a colour management user interface

controller for use in a colour management system for assisting users to manage colour settings of

multiple colour entities, wherein the relation indicator controller has a function to allow the user

to select a relation indicator to manage the colour relation between colour entities that

correspond to the relation indicator. See col.6 lines 13-18.

4.   In regard to claims 3, 15, 24, 29, 34, Swen teaches a colour management user interface controller for use in a colour management system for assisting users to manage colour settings of multiple colour entities, wherein the relation indicator controller has a function to change the appearance of a relation indicator when the relation indicator is selected by the user. See col.11 lines 54-60.

5.   In regard to claims 4, 16, Swen teaches a colour management user interface controller for use in a colour management system for assisting users to manage colour settings of multiple colour entities, wherein the relation indicator controller presents the relation indicators as arrow buttons, each arrow button representing a direction of use of colour settings of a corresponding colour entity. See col.6 lines 55-60.

6.   In regard to claims 5, 17, Swen teaches a colour management user interface controller for use in a colour management system for assisting users to manage colour settings of multiple colour entities, wherein the relation indicator controller presents colour relation indicators which are available for user's selection. See col.4 lines 62-67.

7.   In regard to claims 6, 18, Swen teaches a colour management user interface controller for use in a colour management system for assisting users to manage colour settings of multiple colour entities, wherein the relation indicator controller has a function to generate, in accordance with the selected relation indicator, colour matching data indicating a colour entity whose colour settings is used for colour matching. See col.4 lines 62-67.

8.   In regard to claims 7, 19, 25, 30, 35, Swen teaches a colour management user interface controller for use in a colour management system for assisting users to manage colour settings of multiple colour entities, wherein the representation controller has a function to associate the

representation of each colour entity with a colour profile of the colour entity. See col.4 lines 54-61.

9.   In regard to claims 8, 20, Swen teaches a colour management user interface controller for use in a colour management system for assisting users to manage colour settings of multiple colour entities, wherein the colour management system has a colour profile storage storing colour profiles of the colour entities, and the representation controller has a function to obtain the colour profile of each colour entity from the colour profile storage. See col.5 lines 10-30.

10.   In regard to claim 9, Swen teaches a colour management user interface controller for use in a colour management system for assisting users to manage colour settings of multiple colour entities, wherein the representation controller has a function to present the colour profile of the colour entities. See col.4 lines 49-61.

11.   In regard to claims 10, 21, 26, 31, 36, Swen teaches a colour management user interface controller for use in a colour management system for assisting users to manage colour settings of multiple colour entities, wherein the representation controller presents the representation of a colour entity in multi levels such that standard settings are presented in a main level and detailed settings are presented in a secondary level. See col.8 lines 13-22.

12.   In regard to claim 11, Swen teaches a colour management system for assisting users to manage colour settings of multiple colour entities, the colour management system comprising: a user interface controller for presenting colour relation between the multiple colour entities in accordance with colour relation setting input by a user; see col.4 lines 46-55; and a colour settings manager for controlling colour settings of the colour entities in accordance with the colour relation setting input by the user. See col.6 lines 62-67.

13.   In regard to claims 13, 22, 27, 32, Swen teaches a method for assisting colour

management of multiple colour entities, the method comprising steps of: presenting

representation of each colour entity; see col.5 lines 10-30 ; and presenting one or more relation

indicators indicating colour relation between the colour entities represented by the

representations. See col.5 lines 59-67.

Conclusion

14.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to **Tam D. Tran** whose telephone number is **703-305-4196**. The

examiner can normally be reached on MON-FRI from 8:30 – 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, **Matthew Bella** can be reached on **703-308-6829**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive,

Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the Technology Center 2600 Customer Service Office whose

telephone number is (703) 306-0377.

Tam Tran

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Examiner

Art unit 2676

MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600